

September 2, 2003

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, CA 90012

Dear Supervisors:

Request for term extensions for two (2) cable television franchises in the unincorporated areas of Green Valley et al., granted to Adelphia Communications of California II, LLC, a Delaware limited liability company and Littlerock et al., granted to Adelphia Communications of California, LLC, a Colorado limited liability company

(5th District) (3 VOTES)

IT IS RECOMMENDED THAT YOUR BOARD:

1. Approve amendments to extend the term of cable television franchises through December 31, 2005 in the unincorporated areas of Green Valley et al., granted by Ordinance No. 84-0007F, as amended, and Littlerock et al., granted by Ordinance No. 85-0145F, as amended.
2. Introduce, waive reading and place on your Board's Agenda for adoption the attached ordinances that implement the above recommendation.
3. Find these franchise extensions are categorically exempt under the California Environmental Quality Act (CEQA) pursuant to Class 1, Section (e), of the Environmental Document Reporting Procedures and Guidelines adopted by your Board on November 17, 1987, and Section 15301(b) of the State CEQA Guidelines.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

Harron Cablevision of Michigan, Inc. ("Harron") had cable television franchises with the County that expire on October 10, 2003. It recently came to the County's attention that Harron is no longer a viable entity and that Adelphia Communications of California, LLC, a Colorado limited liability company, is the current franchisee for the Littlerock franchise and Adelphia Communications of California II, LLC, a Delaware limited liability company is the current franchisee for the Green Valley franchise, (collectively "Adelphia"). The franchisee did not request the County's consent for a transfer and believes that a change in the name of the franchisee occurred through a legal name change. However, Adelphia did not locate documentation of the name change in time for filing of these ordinances. It is in the best interest of the County to ensure that the franchises do not expire. Therefore, the Board is asked to approve as extension of the franchises, expressly reserving the right to approve or disapprove a transfer to Adelphia in the event that a transfer did occur. Extension of the current franchise terms through December 31, 2005 allows the County sufficient time to amend Title 16, Division 4 of the County Code (Master Cable Television Systems Franchise) and negotiate the renewals of these franchises.

Implementation of Strategic Plan Goals

Approval of this recommendation will assist in implementing the Countywide Strategic Plan goal of fiscal responsibility. This will ensure the continuation of revenue provided to the County by statute.

FISCAL IMPACT/FINANCING

There will be no cost to the County. These cable television franchises generate revenue to the County. Section 622 (b) of the Cable Act of 1984 [47 U.S.C. §542 (b)] gives a local franchising authority, such as the County, the right to collect franchise fees of no more than five percent (5%) of total gross revenues collected by a cable television operator over a 12-month period. The County is collecting the maximum allowable fees and the extensions of these cable television franchises will allow continued collection of these franchise fees.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

The Office of the County Counsel has reviewed the attached ordinances and approved them as to form.

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ENVIRONMENTAL DOCUMENTATION

The term extension of these cable television franchises is categorically exempt under CEQA pursuant to Class 1, Section (e) of the Environmental Document Reporting Procedures and Guidelines adopted by your Board on November 17, 1987, and Section 15301(b) of the State CEQA Guidelines.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

There will be no impact on current services.

CONCLUSION

It is requested that the Executive Office-Clerk of the Board notify Mr. Thomas E. Carlock, Regional Vice President, Law and Public Policy, Adelphia Communications Corporation, 6320 Canoga Avenue, Suite 1300, Woodland Hills, CA 91367, County Counsel, the Auditor-Controller, the Department of Public Works, and the Department of Consumer Affairs of the Board's action in these matters.

Respectfully submitted,

Pastor Herrera, Jr.
Director

PHJ:FT:RS

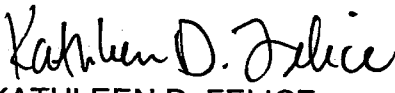
Attachments (2)

c: Chief Administrative Officer
Executive Officer, Board of Supervisors
Auditor-Controller
County Counsel
Department of Public Works

ANALYSIS

This ordinance extends through December 31, 2005, a franchise to operate a cable television system or systems and to provide cable television service in the Green Valley, Leona Valley, and Elizabeth Lake unincorporated areas, granted by Ordinance No. 84-0007F, as amended, to Adelphia Communications of California II, LLC, a Delaware limited liability company.

LLOYD W. PELLMAN
County Counsel

By 
KATHLEEN D. FELICE
Senior Deputy County Counsel
Public Works Division

KDF/ia

07/24/03 (requested)

08/28/03 (revised)

ORDINANCE NO. _____

An ordinance extending through December 31, 2005, a franchise to provide cable television service in the Green Valley, Leona Valley, and Elizabeth Lake unincorporated areas, granted to Adelpia Communications of California II, LLC, a Delaware limited liability company.

The Board of Supervisors of the County of Los Angeles ordains as follows:

SECTION 1. Section 2 of Ordinance No. 84-0007F, as amended, is hereby amended to read as follows:

Section 2. Pursuant to Section 53066 of the Government Code of the State of California, ~~the County of Los Angeles grants to the right, privilege, and franchise is granted to Harron Cablevision of Michigan, Inc., a Delaware corporation~~ Adelpia Communications of California II, LLC, a Delaware limited liability company ("Franchisee"), through ~~October 10, 2003,~~ December 31, 2005, ~~the right, privilege and franchise to construct, reconstruct, maintain, and to operate a Cable Television System~~ (hereinafter called "System") in the unincorporated Service Area of the County of Los Angeles, described in Section 3 below, and to construct, reconstruct, maintain, operate, renew, repair, and remove in ~~these~~ this Service Areas, radio and television signal transmission lines and cables and all appurtenances and/or service connections (hereinafter jointly referred to as "Facilities") which are necessary or convenient for the provision of a System. Said grant is subject to the faithful performance and observance by Franchisee of all the terms and conditions herein.

[GreenValley84007F]

ANALYSIS

This ordinance extends through December 31, 2005, a franchise to operate a cable television system or systems and to provide cable television service in the Littlerock, Lake Los Angeles, and Pearland unincorporated areas, granted by Ordinance No. 85-0145F, as amended, to Adelphia Communications of California, LLC, a Colorado limited liability company.

LLOYD W. PELLMAN

County Counsel

By *Kathleen D. Felice*
KATHLEEN D. FELICE
Senior Deputy County Counsel
Public Works Division

KDL:ia

07/24/03 (requested)

08/28/03 (revised)

ORDINANCE NO. _____

An ordinance extending through December 31, 2005, a franchise to provide cable television service in the Littlerock, Lake Los Angeles, and Pearland unincorporated areas, granted to Adelphia Communications of California, LLC, a Colorado limited liability company.

The Board of Supervisors of the County of Los Angeles ordains as follows:

SECTION 1. Section 1 of Ordinance No. 85-0145F, as amended, is hereby amended to read as follows:

Section 1. Pursuant to Section 53066 of the Government Code of the State of California, the right, privilege, and franchise is granted to ~~Harmon Cablevision of Michigan, Inc., a Delaware corporation~~ Adelphia Communications of California, LLC, a Colorado limited liability company ("Franchisee"), through ~~October 10, 2003~~ December 31, 2005, to construct, ~~from time to time, to reconstruct~~, maintain, and to operate a Cable Television System (hereinafter called "System") in the unincorporated Service Areas of the County of Los Angeles, described in Section 2 below, and to construct, reconstruct, maintain, operate, renew, repair, and remove in these Service Areas, radio and television signal transmission lines and cables and all appurtenances and/or service connections (hereinafter jointly referred to as "Facilities") which are necessary or convenient for the provision of a System. Said grant is subject to the faithful performance and observance by Franchisee of all the terms and conditions herein.

[Littlerock850145F]